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CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA **V.** **Sidronio VALDOVINOS-NAVA** **aka Sidroivio VALDOVINO-NAVA**	**Magistrate's Case No.** '08 MJ 0368 **COMPLAINT FOR VIOLATION** **OF** 18 USC, Section 922(g)(5) – Illegal alien in possession of firearms

The undersigned complainant being duly sworn states:

COUNT 1

On July 13, 2007, within the Southern District of California, defendant Sidronio VALDOVINOS-NAVA, an illegal alien, did possess two firearms that traveled in and affected interstate commerce, to wit: one Ruger, model P-89, 9mm pistol, bearing serial number 310-21670 and one Butler Associates, .22 caliber, single shot, pistol derringer, bearing serial number B73346; in violation of 18 United States Code, Section 922(g)(5).

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

Brooks D. Jacobsen
Special Agent
Bureau of Alcohol, Tobacco
Firearms and Explosives

Sworn to before me and subscribed in my presence, this 8th day of February, 2008.

HON. RUBEN B. BROOKS
UNITED STATES MAGISTRATE

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Statement of Facts

In violation of the aforementioned statute the following acts were committed in the Southern District of California:

On or about October 31, 2007, I was provided information documenting the arrest of defendant SIDRONIO VALDOVINOS-NAVA (aka Sidroivio Valdovinos-Nava) who at the time of his arrest was found to be in possession of three firearms, controlled substances, and other drug paraphernalia. The results of this investigation are as follows:

A review of the San Diego County Regional Arrest/Juvenile Contact Report indicates that on July 13, 2007, at approximately 5:35 PM, in Escondido, California, Officer Christopher Zack accompanied by Officers Umstot and Fidel, contacted VALDOVINOS-NAVA pursuant to anonymous information received by the Escondido Police Department that drug dealing was occurring in the apartment located at 408 East 10th Street, Escondido, California. Among other things, the anonymous reporter also stated that a woman named Judith Castillo and her children resided at the apartment.

Upon arrival at the 408 E. 10th Street address Officers Zack and Umstot contacted a female named Judith Castillo, who invited the officers into the apartment. While inside the apartment both officers could hear noises, including banging, coming from a back bedroom. The officers announced their presence, a Hispanic male opened the door to the back bedroom, and verbally identified himself as VALDOVINOS-NAVA.

Prior to entering the apartment Officer Fidel had been posted outside the building when he observed VALDOVINOS-NAVA throw a safe out of the window to the back bedroom of the location. The safe was recovered by the officers, and the defendant admitted to throwing the safe out of the window. In addition, he later gave the combination to the safe to the officers.

VALDOVINOS-NAVA also gave the officers verbal consent to search his room. While searching the night stand located to the right side of the bed, officers found a wallet in the top drawer that contained a Master Card bearing the name of Sidronio NAVA. Officers also recovered three plastic baggies containing a substance that looked like cocaine or methamphetamine. In addition to the drugs, the drawer also contained a digital scale and 9mm pistol ammunition. VALDOVINOS-NAVA has $445.00 cash in his pocket and was subsequently arrested and transported to the Escondido police department where he was fingerprinted and processed.

Officer Zack later obtained a telephonic search warrant for the apartment and recovered additional drugs, drug packaging material, scales and articles of dominion and control.

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The officers also opened the safe with the combination provided to them by VALDOVINOS-NAVA. Found inside the safe was a total of 828.42 grams of methamphetamine contained in five different baggies and three firearms. The three handguns are described in the police report as follows: one (1) Ruger, model P-89, 9mm pistol, bearing serial number 310-21670; one (1) Butler Associates, single shot, .22 caliber derringer, bearing serial number B73346 and one (1) Raven Arms, model MP-25, .25 caliber pistol, bearing serial number 1063487.

On January 25, 2008, I examined the above described firearms to verify their descriptions. Based on this review and multiple conversations with Inter States Nexus Expert, S/A Gordon Geerdes, the Ruger P-98 pistol bearing serial number 310-21670, was manufactured in Prescott, Arizona and the Butler Associates, .22 caliber derringer, bearing serial number B73346, was solely manufactured in Connecticut. The Raven Arms, .25 caliber pistol will require additional study to determine if it has moved in interstate commerce.

During the course of this investigation, I conferred with Immigration, Customs Enforcement, Special Agent Tim Sheehan concerning the immigration status of VALDOVINOS-NAVA. S/A Sheehan has been involved with this case since the arrest of VALDOVINOS-NAVA and has informed me that he has conducted a search of immigration databases which has confirmed that the defendant, is a native and citizen of Mexico and is an alien illegally present in the United States.